



ECONOMIC SECURITY

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
3300 DEFENSE PENTAGON
WASHINGTON, DC 20301-3300



22 DEC 1994

MEMORANDUM FOR ARMY STANDARDS IMPROVEMENT EXECUTIVE,
DR. KENNETH OSCAR
NAVY STANDARDS IMPROVEMENT EXECUTIVE,
MR. DANIEL PORTER
AIR FORCE STANDARDS IMPROVEMENT EXECUTIVE,
MR. JAMES BAIR
DEFENSE LOGISTICS AGENCY STANDARDS
IMPROVEMENT EXECUTIVE

SUBJECT: Policy Memo 95-1, "Waivers for Use of Specifications and
Standards"

Attached are the procedures to implement Secretary Perry's policy direction
concerning waivers for use of specifications and standards.

These procedures are effective immediately. Please provide me with a copy of
your implementing instructions to your activities within 30 days from the date of this
memorandum.

Walter B. Bergmann, Jr.
Chairman
Defense Standards Improvement Council

Attachment

cc: DUSD(AR)
DASD(IA)
DepSOs



DEPARTMENT OF DEFENSE (DOD) POLICIES AND PROCEDURES ON
WAIVERS FOR USE OF SPECIFICATIONS AND STANDARDS

1. General. Performance specifications and standards and non-government standards shall be used instead of detail government specifications and standards. For those cases when a detail government specification or standard is needed, for Acquisition Category (ACAT) Programs I-IV, to define an exact design solution, the DoD program office or buying command may use a government specification or standard, but only if a waiver is granted. The Director, Naval Nuclear Propulsion shall determine the specifications and standards to be used for naval nuclear propulsion plants in accordance with Public Law 98-525 (42 U.S.C., section 7158 note).

2. Applicability. A waiver is required only when the DoD program office or buying activity cites a detail government specification or standard as a requirement in a solicitation. Specifications and standards placed on contract as a result of an offeror proposal in response to a solicitation do not require a waiver.

3. Documents Requiring Waivers. DoD program offices and buying commands shall obtain waivers when citing as requirements in solicitations, the types of government documents listed below:

- a. Military specifications and standards.
- b. Program unique detail specifications and standards that define exact design solutions.
- c. Federal specifications and standards.

4. Documents Not Requiring Waivers. The following types of documents do not require waivers:

- a. Any document required by law, the Federal Acquisition Regulation, or the Defense Federal Acquisition Regulation Supplement.
- b. Non-government standards.
- c. Federal Information Processing Standards.
- d. Government specifications designated in the DoD Index of Specifications and Standards (DoDISS) as performance specifications.
- e. Commercial item descriptions listed in the DoDISS.
- f. Guide specifications listed in the DoDISS.
- g. Interface standards listed in the DoDISS.
- h. Standard Practices listed in the DoDISS.
- i. Guides listed in the DoDISS.
- j. Handbooks listed in the DoDISS.

5. Exemptions to Waivers. Except as specified by the Component Acquisition Executive, it is not mandatory to obtain a waiver to use the types of documents identified in paragraph 3 above, for the following conditions:

- a. For repurchase of an item not requiring major modifications or upgrades, as defined in DoDI 5000.2.
- b. If the offeror proposes the use of a specification, standard in response to a solicitation.
- c. For specifications and standards under Federal Supply Group 11, Nuclear Ordnance and Federal Supply 4470, Nuclear Reactors.
- d. When a non-Army customer requires the use of a specification or standard.
- e. For combined or joint acquisition programs where another federal agency or country has the lead in the design or acquisition of an item.
- f. If the specification or standard is cited for guidance only.

NOTE: It must be clearly stated in the solicitation what performance criteria will be used in evaluating proposals, and if the offeror proposes the use of a specification, standard or other prohibited document types in response to a solicitation the proposal will be considered to be less than performance based. The proposal to use prohibited documents, or lack thereof, shall be used as part of the source selection criteria for contract award. Use of a specification, standard or other prohibited document types as a requirement in a contract, initiated by government or contractor, may send the wrong message to potential contractors and does not promote acquisition cultural change.

6. Department-Wide or Agency-Wide Exemptions From Waiver Process. The Standards Improvement Executives (SIEs) for the Military Departments and the Defense Logistics Agency may exempt any specification and standard from the waiver process for their use in the solicitation, as they deem necessary. DoD Components that do not have an SIE may request a similar exemption from the Chairman of the Standards Improvement Council. These exemptions must be renewed at least every two years.
7. Waiver Approval Process. Program offices and buying commands shall submit waiver requests to the cognizant waiver decision authority. Waivers shall only be approved if:
- a. An exact design solution is required and an acceptable non-government standard does not exist.
 - b. The use of a performance specification or non-government standard would not meet user needs, be cost effective, or be practicable.
8. Tracking Waiver Approvals. The waiver decision authorities shall send a copy of waiver approvals to an office designated by the cognizant Department Standardization Office (DepSO). This designated office shall send copies of approved waivers to the DoD Single Stock Point for listing in the Acquisition Streamlining and Standardization Information System (ASSIST) data base. Only waiver approvals submitted by a DepSO designated office will be entered in the ASSIST data base.